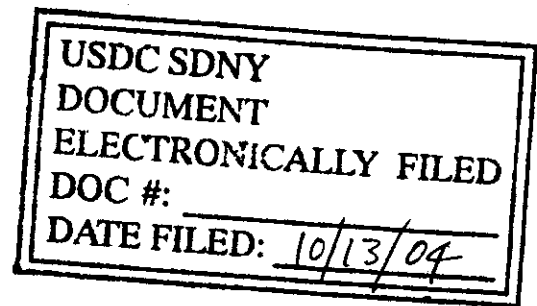


MAILAR, S.

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
AMERICAN STEAMSHIP OWNERS  
MUTUAL PROTECTION AND  
INDEMNITY ASSOCIATION, INC.,

Plaintiff,

- against -

Alcoa Steamship Co., Inc.  
and the Other Entities Listed on Exhibit A  
attached to the Second Amended Complaint

Defendants.  
-----X

04 Civ. 04309 (LAK)

*PARTIAL*  
NOTICE OF DISMISSAL

Plaintiff, American Steamship Owners Mutual Protection and Indemnity Association, Inc. ("Plaintiff") hereby voluntarily dismisses the captioned action as against Ormet Corporation ("Defendant") without prejudice pursuant to Rule 41(a)(1)(i) of the Federal Rules of Civil Procedure. Plaintiff reserves the right to recommence this action or commence another action against Defendant, provided, however, that Plaintiff will only recommence this action or commence another action against Defendant in the event that Defendant seeks indemnity from or otherwise asserts claims against Plaintiff in

respect of IBNR occupational diseases under any insurance policies Plaintiff issued to Defendant or any alleged predecessor(s) prior to February 20, 1989.

Dated: October 6, 2004



Lawrence J. Bowles (LB-5950)  
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SO ORDERED:



U.S.D.J.

10/12/04